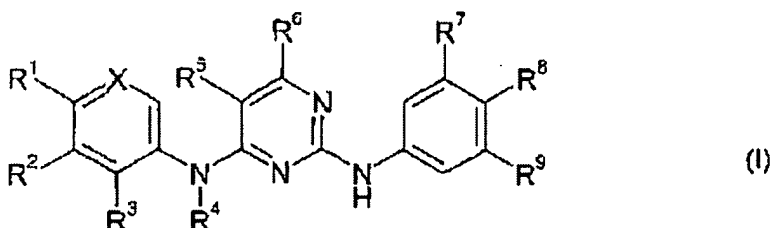


### Amendments to the Claims

This Listing of Claims will replace all prior versions, and listings, of claims in the application.

#### Listing of Claims:

1. (Currently Amended) A method of treating or ~~preventing~~ a condition susceptible to treatment with an ALK inhibiting agent which comprises inhibiting ALK or a gene fusion thereof with a compound of formula I



wherein

X is =CR<sup>0</sup>- or =N-;

each of R<sup>0</sup>, R<sup>1</sup>, R<sup>2</sup>, R<sup>3</sup> and R<sup>4</sup> independently is hydrogen; hydroxy; C<sub>1</sub>-C<sub>8</sub>alkyl; C<sub>2</sub>-C<sub>8</sub>alkenyl; C<sub>3</sub>-C<sub>8</sub>cycloalkyl; C<sub>3</sub>-C<sub>8</sub>cycloalkyl-C<sub>1</sub>-C<sub>8</sub>alkyl; hydroxyC<sub>1</sub>-C<sub>8</sub>alkyl; C<sub>1</sub>-C<sub>8</sub>alkoxyC<sub>1</sub>-C<sub>8</sub>alkyl; hydroxyC<sub>1</sub>-C<sub>8</sub>alkoxyC<sub>1</sub>-C<sub>8</sub>alkyl; arylC<sub>1</sub>-C<sub>8</sub>alkyl which optionally may be substituted on the ring by hydroxy, C<sub>1</sub>-C<sub>8</sub>alkoxy, carboxy or C<sub>1</sub>-C<sub>8</sub>alkoxycarbonyl;

or R<sup>3</sup> and R<sup>4</sup> form together with the nitrogen and carbon atoms to which they are attached a 5 to 10 membered heterocyclic ring and comprising additionally 1, 2 or 3 heteroatoms selected from N, O and S;

or each of R<sup>1</sup>, R<sup>2</sup> and R<sup>3</sup>, independently, is halogen; halo-C<sub>1</sub>-C<sub>8</sub>alkyl; C<sub>1</sub>-C<sub>8</sub>alkoxy; halo-C<sub>1</sub>-C<sub>8</sub>alkoxy; hydroxyC<sub>1</sub>-C<sub>8</sub>alkoxy; C<sub>1</sub>-C<sub>8</sub>alkoxyC<sub>1</sub>-C<sub>8</sub>alkoxy; aryl; arylC<sub>1</sub>-C<sub>8</sub>alkoxy; heteroaryl; heteroaryl-C<sub>1</sub>-C<sub>4</sub>alkyl; 5 to 10 membered heterocyclic ring; nitro; carboxy; C<sub>2</sub>-C<sub>8</sub>alkoxycarbonyl; C<sub>2</sub>-C<sub>8</sub>alkylcarbonyl; -N(C<sub>1</sub>-C<sub>8</sub>alkyl)C(O) C<sub>1</sub>-C<sub>8</sub>alkyl; -N(R<sup>10</sup>)R<sup>11</sup>; -CON(R<sup>10</sup>)R<sup>11</sup>; -SO<sub>2</sub>N(R<sup>10</sup>)R<sup>11</sup>; or -C<sub>1</sub>-C<sub>4</sub>-alkylene-SO<sub>2</sub>N(R<sup>10</sup>)R<sup>11</sup>; wherein each of R<sup>10</sup> and R<sup>11</sup> independently is hydrogen; hydroxy; C<sub>1</sub>-C<sub>8</sub>alkyl; C<sub>2</sub>-C<sub>8</sub>alkenyl; C<sub>3</sub>-C<sub>8</sub>cycloalkyl; C<sub>3</sub>-C<sub>8</sub>cycloalkyl-C<sub>1</sub>-C<sub>8</sub>alkyl; C<sub>1</sub>-C<sub>8</sub>alkoxyC<sub>1</sub>-C<sub>8</sub>alkyl; hydroxyC<sub>1</sub>-C<sub>8</sub>alkoxyC<sub>1</sub>-C<sub>8</sub>alkyl; hydroxyC<sub>1</sub>-C<sub>8</sub>alkyl; (C<sub>1</sub>-C<sub>8</sub>alkyl)-carbonyl; arylC<sub>1</sub>-C<sub>8</sub>alkyl which optionally may be substituted on the ring by hydroxy, C<sub>1</sub>-C<sub>8</sub>alkoxy, carboxy or C<sub>2</sub>-C<sub>8</sub>alkoxycarbonyl; or 5 to 10 membered heterocyclic ring;

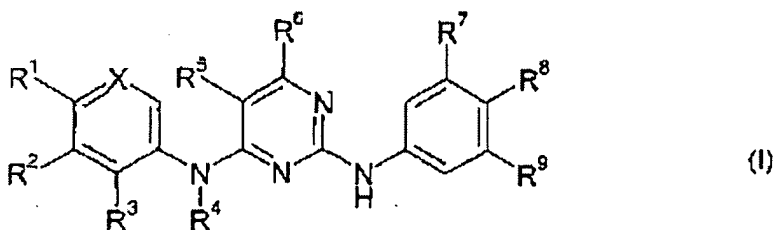
or  $R^1$  and  $R^2$  form together with the C-atoms to which they are attached aryl or a 5 to 10 membered heteroaryl residue comprising one or two heteroatoms selected from N, O and S; or

each of  $R^5$  and  $R^6$  independently is hydrogen; halogen; cyano;  $C_1$ - $C_8$ alkyl; halo- $C_1$ - $C_8$ alkyl;  $C_2$ - $C_8$ alkenyl;  $C_2$ - $C_8$ alkynyl;  $C_3$ - $C_8$ cycloalkyl;  $C_3$ - $C_8$ cycloalkyl- $C_1$ - $C_8$ alkyl;  $C_5$ - $C_{10}$ aryl- $C_1$ - $C_8$ alkyl;

each of  $R^7$ ,  $R^8$  and  $R^9$  is independently hydrogen; hydroxy;  $C_1$ - $C_8$ alkyl;  $C_2$ - $C_8$ alkenyl; halo- $C_1$ - $C_8$ alkyl;  $C_1$ - $C_8$ alkoxy;  $C_3$ - $C_8$ cycloalkyl;  $C_3$ - $C_8$ cycloalkyl- $C_1$ - $C_8$ alkyl; aryl- $C_1$ - $C_8$ alkyl;  $-Y-R^{12}$  wherein Y is a direct bond or O and  $R^{12}$  is a substituted or unsubstituted 5, 6 or 7 membered heterocyclic ring comprising 1, 2 or 3 heteroatoms selected from N, O and S; carboxy;  $(C_1$ - $C_8$ alkoxy)-carbonyl;  $-N(C_1$ - $C_8$ alkyl)-CO-NR<sup>10</sup>R<sup>11</sup>; -CONR<sup>10</sup>R<sup>11</sup>; -N(R<sup>10</sup>)(R<sup>11</sup>); -SO<sub>2</sub>N(R<sup>10</sup>)R<sup>11</sup>;  $R^7$  and  $R^8$  or  $R^8$  and  $R^9$ , respectively form together with the carbon atoms to which they are attached, a 5 or 6 membered heteroaryl comprising 1, 2 or 3 heteroatoms selected from N, O and S; or a 5 or 6 membered carbocyclic ring.

in free form or salt form.

2. (Original) A method according to claim 1 wherein at most one of  $R^1$ ,  $R^2$  or  $R^3$  is -CON(R<sup>10</sup>)R<sup>11</sup>; or -SO<sub>2</sub>N(R<sup>10</sup>)R<sup>11</sup>.
3. (Original) A method of claim 1 wherein the condition is a proliferative disease.
4. (Original) A method of claim 1 wherein a gene fusion containing ALK is inhibited.
5. (Previously Presented) A method for the treatment of a hematological or neoplastic disease comprising administering a compound of formula I



wherein

X is =CR<sup>0</sup>- or =N-;

each of  $R^0$ ,  $R^1$ ,  $R^2$ ,  $R^3$  and  $R^4$  independently is hydrogen; hydroxy;  $C_1$ - $C_8$ alkyl;  $C_2$ - $C_8$ alkenyl;  $C_3$ - $C_8$ cycloalkyl;  $C_3$ - $C_8$ cycloalkyl- $C_1$ - $C_8$ alkyl; hydroxy- $C_1$ - $C_8$ alkyl;  $C_1$ - $C_8$ alkoxy- $C_1$ - $C_8$ alkyl; hydroxy- $C_1$ - $C_8$ alkoxy- $C_1$ - $C_8$ alkyl; aryl- $C_1$ - $C_8$ alkyl which optionally may be substituted on the ring by hydroxy,  $C_1$ - $C_8$ alkoxy, carboxy or  $C_1$ - $C_8$ alkoxycarbonyl;

or R<sup>3</sup> and R<sup>4</sup> form together with the nitrogen and carbon atoms to which they are attached a 5 to 10 membered heterocyclic ring and comprising additionally 1, 2 or 3 heteroatoms selected from N, O and S;

or each of R<sup>1</sup>, R<sup>2</sup> and R<sup>3</sup>, independently, is halogen; halo-C<sub>1</sub>-C<sub>8</sub>alkyl; C<sub>1</sub>-C<sub>8</sub>alkoxy; halo-C<sub>1</sub>-C<sub>8</sub>alkoxy; hydroxy-C<sub>1</sub>-C<sub>8</sub>alkoxy; C<sub>1</sub>-C<sub>8</sub>alkoxy-C<sub>1</sub>-C<sub>8</sub>alkoxy; aryl; aryl-C<sub>1</sub>-C<sub>8</sub>alkoxy; heteroaryl; heteroaryl-C<sub>1</sub>-C<sub>4</sub>alkyl; 5 to 10 membered heterocyclic ring; nitro; carboxy; C<sub>2</sub>-C<sub>8</sub>alkoxycarbonyl; C<sub>2</sub>-C<sub>8</sub>alkylcarbonyl; -N(C<sub>1</sub>-C<sub>8</sub>alkyl)C(O) C<sub>1</sub>-C<sub>8</sub>alkyl; -N(R<sup>10</sup>)R<sup>11</sup>; -CON(R<sup>10</sup>)R<sup>11</sup>; -SO<sub>2</sub>N(R<sup>10</sup>)R<sup>11</sup>; or -C<sub>1</sub>-C<sub>4</sub>-alkylene-SO<sub>2</sub>N(R<sup>10</sup>)R<sup>11</sup>; wherein each of R<sup>10</sup> and R<sup>11</sup> independently is hydrogen; hydroxy; C<sub>1</sub>-C<sub>8</sub>alkyl; C<sub>2</sub>-C<sub>8</sub>alkenyl; C<sub>3</sub>-C<sub>8</sub>cycloalkyl; C<sub>3</sub>-C<sub>8</sub>cycloalkyl-C<sub>1</sub>-C<sub>8</sub>alkyl; C<sub>1</sub>-C<sub>8</sub>alkoxy-C<sub>1</sub>-C<sub>8</sub>alkyl; hydroxy-C<sub>1</sub>-C<sub>8</sub>alkoxy-C<sub>1</sub>-C<sub>8</sub>alkyl; hydroxy-C<sub>1</sub>-C<sub>8</sub>alkyl; (C<sub>1</sub>-C<sub>8</sub>alkyl)-carbonyl; aryl-C<sub>1</sub>-C<sub>8</sub>alkyl which optionally may be substituted on the ring by hydroxy, C<sub>1</sub>-C<sub>8</sub>alkoxy, carboxy or C<sub>2</sub>-C<sub>8</sub>alkoxycarbonyl; or 5 to 10 membered heterocyclic ring;

or R<sup>1</sup> and R<sup>2</sup> form together with the C-atoms to which they are attached aryl or a 5 to 10 membered heteroaryl residue comprising one or two heteroatoms selected from N, O and S; or

each of R<sup>5</sup> and R<sup>6</sup> independently is hydrogen; halogen; cyano; C<sub>1</sub>-C<sub>8</sub>alkyl; halo-C<sub>1</sub>-C<sub>8</sub>alkyl; C<sub>2</sub>-C<sub>8</sub>alkenyl; C<sub>2</sub>-C<sub>8</sub>alkynyl; C<sub>3</sub>-C<sub>8</sub>cycloalkyl; C<sub>3</sub>-C<sub>8</sub>cycloalkyl-C<sub>1</sub>-C<sub>8</sub>alkyl; C<sub>5</sub>-C<sub>10</sub>aryl-C<sub>1</sub>-C<sub>8</sub>alkyl;

each of R<sup>7</sup>, R<sup>8</sup> and R<sup>9</sup> is independently hydrogen; hydroxy; C<sub>1</sub>-C<sub>8</sub>alkyl; C<sub>2</sub>-C<sub>8</sub>alkenyl; halo-C<sub>1</sub>-C<sub>8</sub>alkyl; C<sub>1</sub>-C<sub>8</sub>alkoxy; C<sub>3</sub>-C<sub>8</sub>cycloalkyl; C<sub>3</sub>-C<sub>8</sub>cycloalkyl-C<sub>1</sub>-C<sub>8</sub>alkyl; aryl-C<sub>1</sub>-C<sub>8</sub>alkyl; -Y-R<sup>12</sup> wherein Y is a direct bond or O and R<sup>12</sup> is a substituted or unsubstituted 5, 6 or 7 membered heterocyclic ring comprising 1, 2 or 3 heteroatoms selected from N, O and S; carboxy; (C<sub>1</sub>-C<sub>8</sub>alkoxy)-carbonyl; -N(C<sub>1</sub>-C<sub>8</sub>alkyl)-CO-NR<sup>10</sup>R<sup>11</sup>; -CONR<sup>10</sup>R<sup>11</sup>; -N(R<sup>10</sup>)(R<sup>11</sup>); -SO<sub>2</sub>N(R<sup>10</sup>)R<sup>11</sup>; R<sup>7</sup> and R<sup>8</sup> or R<sup>8</sup> and R<sup>9</sup>, respectively form together with the carbon atoms to which they are attached, a 5 or 6 membered heteroaryl comprising 1, 2 or 3 heteroatoms selected from N, O and S; or a 5 or 6 membered carbocyclic ring.

in free form or salt form.

6. (Previously Presented) A method according to claim 5 wherein at most one of R<sup>1</sup>, R<sup>2</sup> or R<sup>3</sup> is -CON(R<sup>10</sup>)R<sup>11</sup>; or -SO<sub>2</sub>N(R<sup>10</sup>)R<sup>11</sup>.

7. (Previously Presented) A method according to claim 5 wherein the condition is a proliferative disease.

8. (Previously Presented) A method according to claim 5 wherein a gene fusion containing ALK is inhibited.